

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

IVAN VERNORD CLEVELAND, et al.,  
Plaintiffs,  
v.  
BEN CURRY, et al.,  
Defendants.

Case No. [07-cv-02809-NJV](#)

**JUDGMENT**

This action was tried before a jury, the undersigned Magistrate Judge presiding. On November 8, 2013, the jury found that Plaintiffs Ivan Cleveland, Demetrius Huff, Desmond Jones, Robert Morris, and Kenneth Trask had established that Defendant Erwin Abanico had violated their Eighth Amendment rights and that Defendant Ben Curry had failed to intercede to stop those violations. The jury awarded damages, including punitive damages, to all Plaintiffs against both Defendants. *See* Doc. No. 211.

On February 21, 2014, the court granted in part Defendants' renewed motion for judgment as a matter of law and granted in part Defendants' motion for remittitur. *See* Doc. No. 232.

Consequently, IT IS ORDERED, ADJUDGED AND DECREED THAT judgment be entered as follows:

- (1) for Plaintiff Cleveland against Defendant Abanico, judgment in the amount of \$7,000;  
for Plaintiff Cleveland against Defendant Curry, judgment in the amount of \$5,001;
- (2) for Plaintiff Huff against Defendant Abanico, judgment in the amount of \$10,000;  
against Plaintiff Huff and for Defendant Curry, Huff shall take nothing against Defendant Curry;

- (3) for Plaintiff Jones against Defendant Abanico, judgment in the amount of \$7,000; against Plaintiff Jones and for Defendant Curry, Jones shall take nothing against Defendant Curry;
- (4) for Plaintiff Morris against Defendant Abanico, judgment in the amount of \$7,000; for Plaintiff Morris against Defendant Curry, judgment in the amount of \$5,001; and,
- (5) for Plaintiff Trask against Defendant Abanico, judgment in the amount of \$15,000; for Plaintiff Trask against Defendant Curry, judgment in the amount of \$5,001.

Plaintiffs accordingly shall take a total judgment of \$61,003. Plaintiffs shall also recover from Defendants the costs of suit according to proof.

**IT IS SO ORDERED.**

Dated: February 25, 2014

  
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NANDOR J. VADAS  
United States Magistrate Judge